

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE ESTABLISHING THE APPROPRIATIONS LIMIT
FOR FISCAL YEAR 2004-2005 PURSUANT TO ARTICLE XIII-B
OF THE CALIFORNIA CONSTITUTION**

WHEREAS, Article XIII-B of the California Constitution provides that the State and each local government shall be subject to an appropriations limit, to govern the maximum amount of each entity's appropriations subject to limitation, in any fiscal year, as the same are defined in Article XIII-B; and

WHEREAS, California Government Code Section 7910 provides for the annual establishment by local jurisdictions of their appropriations limit for each fiscal year, and further provides that upon establishment of such appropriations limit any judicial action or proceeding to attack, review, set aside, void, or annul such action by the City Council must be commenced within forty-five (45) days of the effective date of the resolution establishing the appropriations limit; and

WHEREAS, pursuant to Government Code Section 7910, in Report No. RTC 04-198 dated June 1, 2004, the Director of Finance has computed the appropriations limit applicable to the City of Sunnyvale for the fiscal year 2004-2005 and transmitted the same to the City Council in Report No. RTC 04-____ dated June 15, 2004; and

WHEREAS, documentation used in determining the appropriations limit has been made available to the public for a period of not less than fifteen (15) days prior to City Council consideration of this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The appropriations limit established for the City of Sunnyvale pursuant to Article XIII-B of the Constitution for fiscal year 2004-2005 is \$124,727,399.
2. Pursuant to Government Code Section 7910, no judicial action or proceeding to attack, review, set aside, void, or annul the action of the City Council in establishing the appropriations limit for fiscal year 2004-2005 shall be brought

unless such action or proceeding shall have been commenced within forty-five (45) days of the date of adoption of this resolution.

Adopted by the City Council at a regular meeting held on June 15, 2004, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor